



39

Hibernia

Act of Council for
enlarging several periods
in the Act of Settlement.

By the Lord Lieutenant and Council.

ORMOND.



WHEREAS by an Act made in this present Parliament, intituled, An Act for the enlargement of the Periods of Time limited in an Act for the better Execution of His Majesties Gracious Declaration, for the Settlement of His Kingdom of Ireland, &c. It is Enacted that the Lord Lieutenant or other Chief Governour or Governours of this Kingdom, and six or more of the Council for the time being, as occasion shall require may by Act or Acts of Council from time to time to be made, enlarge all or any of the several Periods of time in and by the Act of Settlement appointed, so far as they in their Wisdoms shall find necessary, Provided that none of the said Periods of Time be so enlarged beyond the space of twelve Moneths in the whole, next ensuing from and after the several and respective times, whereunto by the said Act of Settlement they were limited.

And whereas by the said Act of Settlement, it is provided that as to all and every the Clauses and Provisoes in the said Act before mentioned, wherein or whereby the Estates or Interests of any private Persons are settled and confirmed, and the several and respective Grants thereby made to any Person or Persons, it shall and may be lawfull for the Lord Lieutenant or other Chief Governour or Governours and Council of Ireland for the time being, at any time before the first of day of December 1662, to suspend the Execution thereof, or of any of them, till they have examined and informed themselves concerning the same, and such of them as they shall find contrary to, or inconsistent with His Majesties Gracious Declaration and Instructions in the said Act mentioned, or inconvenient for the general Settlement by the said Act intended, to be allowed in their full latitude, they have full Power & Authority thereby granted to them to retrench, alter or change, and by their direction or order to the Commissioners for Execution of the said Act to disallow such of them as they shall think meet in part, or in whole, or to order how far and in what manner the same shall be executed or observed. And whereas by Act of Council, dated the 17th. of October 1662. We enlarged the said time unto the first day of June 1663. We now think fit by this our Act of Council further to enlarge the said time to the end of twelve Moneths from the said first of December 1662.

And whereas by the said Act of Settlement the time for Adventurers claiming and making their deficiencies appear is limited to the 29th. of September 1662. We did by Act of Council, dated the 17th. of October 1662. enlarge the said time unto the first of April 1663. and by like Act of Council dated the 18th. of March 1662. We did further enlarge the said time to the twentieth of June 1663. We now think fit by this our Act of Council further to enlarge the said time to the end of twelve moneths from the said 29th. of September 1662.

And whereas by the said Act of Settlement legal Incumbrances resting upon Lands set out to Adventurers and Soldiers are to be satisfied out of forfeited Lands in the County of Kildare (except as in the said Act is excepted) such Incumbrances being made appear by the 25th. of October 1662. We did likewise by the said Act of Council dated the 17th. of October 1662. enlarge the said time to the 1st of April 1663. And by the like Act of Council dated the 18th. of March 1662. We did further enlarge the said time to the twentieth of June 1663. We now think fit hereby further to enlarge the said time, to the end of twelve moneths from the said 25th. of October 1662.

And whereas by the said Act of Settlement, all Innocent Papists are to be restored to their Estates by the first day of August 1662. We did by the said Act of Council dated the 17th. of October 1662. enlarge the said time unto the first of April 1663. And by the said Act of Council dated the 18th. of March 1662. We did further enlarge the said time to the twentieth of June 1663. (A)



th of June 1663. We now think fit hereby further to enlarge the said time to the end of twelve moneths from the said first day of August 1662.

And whereas by the said Act of Settlement, such Adventurers and Souldiers as have taken Surveys of their Lands were at or before the 29th. of September 1662. to bring in to the Commissioners appointed for the Execution of the said Act, the said Surveys or Duplicats thereof, together with the field books, if in their Possessions, We did by the said Act of Council dated the 17th. of October 1662. enlarge the said time unto the first day of April 1663. And by the said Act of Council dated the 18th. of March 1662. We did further enlarge the said time unto the twentieth day of June 1663. We now think fit hereby further to enlarge the said time unto the end of twelve moneths from the said 29th. day of September 1662.

And whereas by the said Act for the enlargement of the Periods of time it is enacted that the Lord Lieutenant or other Chief Gouvernor or Gouvernours of this Kingdom and Council as aforesaid may by Act or Acts of Council from time to time to be made, limit and appoint such Period or Periods of time, for the adjudging, determining and settling of the qualifications of Innocent Protestants, and Papists, and the reprisal of such Persons as shall be removed thereupon, as they in their judgments shall think fit, so as the said Period or Periods of time so limited, do not exceed the space of twelve moneths next after the first sitting of the Commissioners appointed for the putting of the said Act in Execution, upon the Execution of the said Act. And whereas it appears by Certificate of Thomas Kennedy chief Clerk to the said Commissioners, that on Saturday the twentieth of September, in the Year of Our Lord 1662. the said Commissioners being all present at the place called the Kings Inns Dublin, did openly Proclaim, Read and Publish their Commission under the Great Seal of Ireland for Executing the said Act in the presence of many Persons, and did then and there in Execution thereof publickly swear the several Attorneys of the Court, We do by this our Act of Council enlarge the said time from the said twentieth of September 1662. being the day of the first sitting of the Commissioners as aforesaid, unto the end of twelve moneths from the said twentieth of September 1662.

And whereas by the said Act of Settlement, the time limited for discovering Bribery, Forgery, Subornation of Witnesses, and false or undue admeasurement is the 23th. of October 1663. We think fit hereby to enlarge the said time to the end of twelve moneths from the said 23th. of October 1663.

And whereas by the said Act of Settlement it is Enacted, that in case any justly intituled to the Peace in His Majesties Declaration mentioned, have obtained Decrees for Lands in the Province of Connaught, or County of Clare, in lieu of their former Estates, and have not been possessed of Lands according to their respective Decrees, that if by the first day of August 1663. they shall not be possessed of such Decreed Lands, they shall immediately after the said day be otherwise satisfied for the same, We think fit hereby to enlarge the said time to the end of twelve moneths from the said first day of August, One thousand six hundred sixty three.

And whereas by the said Act of Settlement those who continued with His Majesty, and served faithfully under His Enemies beyond the Seas who were by His Majesties said Declaration to be restored to their former Estates, a reprise being first assigned, and legally set out of the remaining forfeited Lands undisposed of to Adventurer or Souldier, or other Person, as in the said Declaration is mentioned, that the furthest time for such Restoration and Reprizes is limited to the 23th. of April 1663. We think fit hereby to enlarge the said time to the end of twelve moneths from the said 23th. of April 1663.

And whereas in the said Act of Settlement there is a clause which followeth in these words, viz. [And you are hereby strictly required to take special care, that the Decrees, and the Estates in Lands set out in satisfaction of the same in the Province of Connacht and County of Clare to any transplanted or transplantable Person, and purchased from them, or any of them, by Charles Earl of Mountrath, John Lord Baron of Kingston, Richard Lord Coote Baron of Colooney, Carey Dillon Esquire, Sir George Bingham Baronet, Sir Oliver St. George Knight and Baronet, Sir John Cole Baronet, Sir James Shaen Knight, Major Arthur Gore, Sir George St. George, Sir James Cusse, John Eyres Esq; Henry Waddington, Esq; Captain Robert Parkes, Captain Robert Morgan and Captain Owen Lloyd, be confirmed unto them and every of them their Heirs and Assigns respectively, they paying one full years value of the profits of such Estates to Us our Heirs and Successors in two years space in such manner and for such uses as in our late Declaration is offered to be contributed by the Adventurers and Souldiers, and accepted by Us, and that they be not removed from any Estate in Lands they have so purchased by vertue of such Decrees untill they be duly reprieved out of other forfeited Lands of equal value worth, and purchase in the said Province of Connacht or County of Clare, or elsewhere, as in our said Declaration is directed for Adventurers and Souldiers, Provided that this shall not be construed to confirm the Decree of any Person for so much thereof as was obtained by Injustice, Fraud, Irregularity or oppression in the proceedings, but especially of any Person who had no Right nor Title by the rules given for making those Decrees to the Estate in compensation whereof such Decree was granted, if the same shall be made appear unto you before the 5th and twentieth day of March 1663. And in such case it is our pleasure that any of the aforesaid Persons who hath purchased Lands upon any such insufficient Decrees shall or may place some other unsatisfied or repriable Decree upon such Lands,] We think fit hereby to enlarge the said time to the end of twelve moneths from the said 5th and twentieth day of March 1663.

And whereas in the said Act of Settlement, there is a clause which followeth in these words, viz. [And in order to the more particular apportioning or dividing the said Lands amongst the said Adventurers, and satisfying their deficiencies and ascertaining their respective proportions, you are to cause publick Proclamation to be made within the respective Counties, Cities, Baronies and places in Ireland thereby directing each Adventurer, his Assignee or Assignees, or his or their Agent or Agents sufficiently authorized that hath received any satisfaction in Land for his Adventure within forty

392c

forty days after such Proclamation to deliver unto you in writing under his Hand and Seal a particular of the houses, Lands, Tenements and hereditaments possessed by him together with the content or number of Acres both profitable and unprofitable in each Town-Land, Village, Ballyboe or quarter of Land, as the same were admeasured to him or for his use, and in the right of whom he claimeth such Adventure, and if such Adventure be for houses in any City, such Adventurer is to deliver in not only the particular houses, Tenements and hereditaments by him possessed, but also the value of them respectively as set out to him or any other for his use.

And if any Adventurer or the Assignee or Assignees of such Adventurers as aforesaid shall neglect to return a Certificate as aforesaid, or shall wittingly make and deliver a false Certificate of the sums he was to be satisfied according to the several Acts past in the Parliament begun at Westminster the third day of November, in the year of Our Lord, One thousand six hundred and forty, and in the sixteenth year of the Reign of our Royal Father, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of Ireland, to their due Obedience to His Majesty and the Crown of England. An Act for adding unto and explaining of certain Clauses in another Act made this Parliament, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of Ireland, to their due Obedience to His Majesty and the Crown of England, An Act for the further advancement of an effectual and speedy reduction of the Rebels in Ireland to the Obedience of His Majesty and the Crown of England, An Act for a speedy Contribution and loan towards the relief of His Majesties distressed Subjects of the Kingdom of Ireland, An Act to enable Corporations, and Bodies Politicks to participate of the benefit of an Act lately passed, intituled, An Act for the speedy and effectual reducing of the Rebels in His Majesties Kingdom of Ireland to their due Obedience to His Majesty and the Crown of England, or shall neglect to return a Certificate as aforesaid, or willingly make and deliver a false Certificate of the Town, Lands, Villages, Ballyboes, Quarters or other Denominations of Land assigned or given out for satisfaction of the said debt or demand, or of the content or number of Acres according as the same was set out to him or them, such Adventurer or his Assignee shall forfeit for three years the Rents and profits that such houses, Lands, Tenements, hereditaments shall yield, that he shall so omit to certifie, or that he shall not rightly certifie, such forfeiture to be one moverty to us, and the other to be for and towards the defraying the charges in executing this our Commission. Provided a discovery be made thereof before the three and twentieth of October 1663.] We think fit hereby to enlarge the said time to the end of twelve moneths from the said 23th. of October 1663.

And whereas in the said Act of Settlement there is a clause which followeth in these words (viz.) [And whereas all Commissioned Officers before 1649. whose Arrears were not stated on the 30th. day of November 1660. are by the said Declaration to have their Arrears stated before the 29th. day of September 1661. Be it enacted, and it is hereby enacted that that time be enlarged to the first day of May 1663.] And whereas by Act of Council dated the 15th. day of April 1663. We enlarged the said time to the first day of August 1663. We now think fit hereby further to enlarge the said time to the first day of November 1663.

And we require the Sheriffs of the several Counties in this Kingdom to cause this our Act of Council to be published and proclaimed in and throughout all the said Counties respectively, that so all Persons concerned therein may take notice thereof.

Given at the Council-Chamber in Dublin the 27th. day of May 1663.

GOD Save the KING.

Man. Eustace, Canc. Ja. Dublin, Mount-Alexander, Drogheda, Anglsey,
Massereene, Dungannon, Hen. Midens, Fran. Aungier, Kingston,
J. Temple, Robert Forth, Robert Meredith, Theo. Jones, Tho. Clarges,
Tho. Pigott.

D U B L I N.

Printed by John Crooke, Printer to the Kings Most Excellent Majesty, and are to be sold by Samuel
Dancer next door to the Bear and Ragged-Staffe in Castle-street. 1663.